

**CONFERENCE COMMITTEE REPORT
DIGEST FOR EHB 1063**

Citations Affected:

Synopsis: Eminent domain study committee. Establishes an interim study committee to study certain eminent domain issues.

Effective: July 1, 2005.

Adopted

Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill No. 1063 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT concerning property.
- 3 Delete everything after the enacting clause and insert the following:
- 4 SECTION 1. [EFFECTIVE JULY 1, 2005] **(a) As used in this**
- 5 **SECTION, "committee" refers to the interim study committee on**
- 6 **eminent domain established by this SECTION.**
- 7 **(b) For the purposes of this SECTION, "commerical use"**
- 8 **includes the following:**
- 9 **(1) Private residential development or use of the property.**
- 10 **(2) Private development of the property under a lease.**
- 11 **(3) Use of the property for retail or industrial purposes.**
- 12 **(c) There is established the interim study committee on eminent**
- 13 **domain. The committee shall study the use of eminent domain,**
- 14 **especially where the proposed use of the property being acquired**
- 15 **by eminent domain does not relate directly to providing a**
- 16 **governmental service or fulfilling a governmental responsibility but**
- 17 **is, rather, a commercial use.**
- 18 **(d) The committee shall study criteria that could be applied when**
- 19 **the acquisition of property by eminent domain for a commercial**
- 20 **use is proposed, including the following:**
- 21 **(1) Minimum price offers to the owner of the real property.**
- 22 **(2) Significance of promoting or retaining gainful employment.**
- 23 **(3) Significance of business opportunities.**

- 1 **(4) Whether the real property is located within an area in**
2 **which normal development and occupancy are undesirable or**
3 **impossible for the following reasons:**
4 **(A) Deterioration of improvements.**
5 **(B) Obsolescence.**
6 **(C) Substandard buildings.**
7 **(D) Excessive numbers of vacant, abandoned, or illegally**
8 **used properties.**
9 **(E) Unsanitary or unsafe conditions.**
10 **(F) Life or property endangering conditions.**
11 **(5) Any other issue assigned by the legislative council.**
12 **(e) The committee shall operate under the policies governing**
13 **study committees adopted by the legislative council.**
14 **(f) The affirmative votes of a majority of the voting members**
15 **appointed to the committee are required for the committee to take**
16 **action on any measure, including final reports.**
17 **(g) This SECTION expires January 1, 2006.**
 (Reference is to EHB 1063 as reprinted April 6, 2005.)

Conference Committee Report
on
Engrossed House Bill 1063

Signed by:

Representative Wolkins
Chairperson

Senator Bray

Representative Harris E

Senator Lanane

House Conferees

Senate Conferees